

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

ESTELLE BRECKLE,)	No. ED104917
)	
Appellant,)	
)	
v.)	Appeal from the Labor and Industrial
)	Relations Commission
TREASURER OF THE STATE OF)	
MISSOURI, Custodian of the Second)	
Injury Fund,)	
)	
Respondent,)	
)	
and)	
)	
ANN J. HARRISON and LYNN M. LINK,)	
As Co-Personal Representatives of the)	
Estate of Harry J. Nichols,)	
)	
Respondents.)	Filed: April 18, 2017

Estelle Breckle (Breckle) appeals from the decision of the Labor and Industrial Relations Commission (Commission) ordering the Treasurer of the State of Missouri, Custodian of the Second Injury Fund (SIF), to direct payments of attorney fees on her disability benefits award to The Nichols Living Trust in the event her attorney, Harry J. Nichols (Nichols), predeceases her.

REVERSED and REMANDED.

Division Two Holds: The Commission erred in denying Breckle’s Motion to Vacate the Commission’s order granting Nichols’ request to alter the attorney fees payee on her disability award without considering Breckle’s allegations she did not receive notice of the Commission’s Order to Show Cause regarding Nichols’ request. The claim is remanded to the Commission with directions that an evidentiary hearing be held to address the issue of notice.

Opinion by: Sherri B. Sullivan, P.J. Roy L. Richter, J., and Colleen Dolan, J., concur.

Attorney for Appellant: Pro Se
Attorney for Respondent: Steven A. Trefts

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